

Exhibit 4

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September 23, 2016

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* Admitted in Multiple Jurisdiction
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VIA FACSIMILE AND U.S. MAIL

Barry Zelner, Esq.
Law Offices of Zelner & Karpel
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Facsimile: (818) 986-1935

Re: **Alton Harding v. Macys West Stores, Inc.**

Dear Mr. Zelner:

Please let this letter serve as our response to your correspondence dated September 19, 2016.

With regards to your requests concerning purported past claims of "racial profiling," I have repeatedly requested for you to provide a definition as to term "Racial Profiling." This is an overly broad, vague, and ambiguous term that can mean an array of different conduct and subject to an array of interpretation. Without definition, it is impossible for Responding Party to determine for what sort of "past claims" to search.

Additionally, you have refused to provide any legal basis or a showing of relevancy for maintaining your overly broad scope, despite my inquiries for such. Moreover, alternatively, I have repeatedly requested alternative limits to your incredibly excessive and overly broad scope to a relevant time frame and geographic scope. You have refused.

MANNING & KASS
ELLROD, RAMIREZ, TRESTER LLP
ATTORNEYS AT LAW

Barry Zelner, Esq.

Re: Alton Harding v. Macys West Stores, Inc.

September 23, 2016

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Finally, with regards to your position regarding documents that support Responding Party's affirmative defenses, Responding Party has informed you that they are not aware of any documents that support its affirmative defenses other than the previously stated documents. We have provided you with code compliant responses.

At this point, while I had hoped to resolve this informally, I am uncertain about what else I can say to further a resolution without court intervention. If you would like to have a meaningful discussion that address my above points, I am more than happy to have a meeting. We have some availability on September 26, 2016, September 27, 2016, and October 4, 2016. Once again, I invite you to come to our office.

However, if you will not withdraw your requests or provide a showing of relevancy to your purported scope, then we will be forced to move for a protective order. As it appears we are at an impasse, should you pursue a motion we propose addressing the issue of a protective order in the joint motion in conjunction with any motion to compel in an effort to consolidate resources and the Court's time.

Please send any proposed joint motion to our office in word format such in order for Defendants to prepare any necessary response.

Very truly yours,

MANNING & KASS
ELLROD, RAMIREZ, TRESTER LLP



Marcia, E. Cook, Esq.

**** TRANSMISSION REPORT ****

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FROM: Marcia E. Cook, Esq.
RE: *Alton Harding v. Macy's*
CLIENT/MATTER NO.: 384-051268 USER ID: 7985
PAGES: 3 (including cover page)
MESSAGE: *Please see attached correspondence of this date.*

If You Do Not Receive All Pages, Please Call (213) 624-6900

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